

06/26/03
16569 U.S. PTO

SD7161.1/S102246

June 26, 2003

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COMMISSIONER FOR PATENTS
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Alexandria, VA 22313-1450

16424 U.S. PTO
10/609294
06/26/03

UTILITY PATENT APPLICATION TRANSMITTAL
Under 37 CFR 1.53(b)

Transmitted herewith for filing is the patent application of

INVENTOR(S): John F. Klem

FOR: Distributed Bragg Reflectors with Reduced Optical Absorption

I. APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (original + duplicate)
2. ☒ Specification
Total Pages 16
3. ☒ Drawings
Total Sheets 2
4. ☒ Oath or Declaration (with Power of Attorney) Total Pages 2
 - a. ☒ Newly Executed
 - b. ☐ Copy from Prior Application
(Continuation or Divisional)
☐ Deletion of Inventors
Signed Statement Attached Deleting Inventor(s) named in
prior Application. 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by Reference (if Box 4b is checked). The entire
disclosure of the prior application(s) from which a copy of the
Oath or Declaration is supplied under Box 4b, is considered as
being part of the disclosure of the accompanying application and
is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)

II. ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet and document(s))
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☒ Power of Attorney (with the Declaration)
9. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☒ Return Receipt Postcard (Itemized)
12. ☒ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

III. IF A CONTINUING APPLICATION

☐ Continuation ☐ Divisional ☒ Continuation-in-Part (CIP)

of prior application No. 10/217,803

IV. CORRESPONDENCE ADDRESS

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Dated: _____

June 26, 2003

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U. S. Postal Service on, 6/26/03, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV332387142US addressed to the: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450

Mary Loukota
Mary Loukota

Complete if Known

Application Number	
Filing Date	June 26, 2003
First Named Inventor	John F. Klem
Examiner Name	
Group / Art Unit	
Attorney Docket No.	SD7161.1S102246

TOTAL AMOUNT OF PAYMENT	(\$)<i>804.00</i>
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FEE CALCULATION (continued)☐ ☐ Check ☐ Money Order ☐ Other

SUBTOTAL (1)	\$ 750
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SUBTOTAL (2) **(\$)**54.00

SUBTOTAL (3) (\$)

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		John F. Klem
	Title	Distributed Bragg Reflectors with Reduced Optical Absorption	
	Atty Docket Number		SD7161.1/S102246

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 26, 2003
Date

John P. Hohimer
Signature

John P. Hohimer
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Application may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**